

U S WEST, Inc.  
1801 California Street, Suite 5100  
Denver, Colorado 80202  
303 672-2859  
Facsimile 303 295-6973  
KKRAUSE@USWEST.COM

EX PARTE OR LATE FILED

ORIGINAL

Kathryn Marie Krause  
Senior Attorney

**USWEST**

*Ex Parte*

March 7, 2000

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
Room TW-A325  
445 12th Street, S.W.  
Washington, DC 20554

RECEIVED  
MAR 07 2000  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**REDACTED VERSION  
(For Public Inspection)**

RE: CC Docket No. 99-200 – Number Resource Optimization;  
Submission of Wireless Number Utilization Levels

Dear Ms. Roman Salas:

Please associate this communication with the above-referenced proceeding. The attached *Ex Parte* communication was submitted to Mr. Les Selzer on March 7, 2000 with an attachment that is considered confidential. While the attachment was provided to Mr. Selzer, it is redacted from the current filing and only the cover letter to Mr. Selzer is provided.

In its *Ex Parte*, U S WEST requested, pursuant to Section 0.459 of the Commission rules, 47 C.F.R. § 0.459, that the information be treated as confidential and withheld from public inspection. The data attached to the *Ex Parte* contains sensitive commercial proprietary information concerning U S WEST's wireless operations number utilization levels.

Pursuant to Section 1.1206(b)(1) of the Commission's rules, an original and one copy of this letter are being provided for inclusion in the public record of the above-referenced proceeding. Acknowledgment of the date of receipt of this

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Ms. Roman Salas  
March 7, 2000  
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material is requested. An additional copy of this letter is also enclosed for this purpose.

Sincerely,

A handwritten signature in cursive script that reads "Kathryn Marie Krause" followed by a stylized flourish.

Kathryn Marie Krause

Attached Letter to Mr. Les Selzer, without confidential attachment

cc: Les Selzer

U S WEST, Inc.  
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KKRAUSE@USWEST.COM

Kathryn Marie Krause  
Senior Attorney



***Ex Parte***

March 7, 2000

Mr. Les Selzer  
Federal Communications Commission  
Common Carrier Bureau  
Room TW-6A334  
445 12th Street, S.W.  
Washington, DC 20554

**NON-REDACTED VERSION  
(Not For Public Inspection)**

RE: CC Docket No. 99-200 -- Number Resource Optimization;  
Submission of Wireless Number Utilization Levels

Dear Mr. Selzer:

Please see that this *Ex Parte* communication is associated with the above-referenced proceeding.

On February 3, Ms. Stephanie Boyett-Colgan and Mr. Elridge Stafford of U S WEST Communications, Inc. ("U S WEST") met with Federal Communications Commission ("Commission") Staff with respect to the above-identified subject matter. They discussed the number utilization levels of U S WEST's wireless operations. During the course of that meeting, they were asked to provide this number utilization information to the Commission.

Pursuant to Section 0.459 of the Commission rules, 47 C.F.R. § 0.459, U S WEST requests that the information being submitted herewith be treated as confidential and withheld from public inspection. The attached data contains sensitive commercial proprietary information concerning U S WEST's wireless operations number utilization levels. From this information, one can discern that operations' subscribership levels. U S WEST does not customarily release this kind of information to the public and is submitting this information voluntarily. Moreover, and as the Commission has previously acknowledged, subscribership

information of this type involves highly-sensitive marketing information.<sup>1</sup> Furthermore, U S WEST customarily guards this type of information from competitors, inasmuch as such disclosure could result in competitive harm. Therefore, the Commission should deem it confidential and not subject to public disclosure pursuant to Exemption 4 of the Freedom of Information Act.<sup>2</sup>

Should this instant request for confidential treatment be denied, U S WEST hereby requests that it be so notified and the information returned to it pursuant to Section 0.459(e) of the rules. U S WEST further requests that the Commission stay the release of this information until such time as an application for review of the determination is resolved. Disclosure of this information without affording the parties an opportunity to contest a finding against confidentiality will prejudice them and render moot any successful appeal.

A redacted version of this letter is being filed concurrently with the Secretary. Pursuant to 47 C.F.R. § 1.1206(b)(1), the original and one copy are included herewith. Acknowledgment of the date of receipt of this material is requested. An additional copy of this letter is also enclosed for this purpose.

Sincerely,

A handwritten signature in cursive script, reading "Kathryn Marie Krause", followed by a stylized flourish or initial.

Kathryn Marie Krause

Attachment

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<sup>1</sup> See In the Matter of Implementation of Section 9 of the Communications Act, Assessment and Collection of Regulatory Fees for Fiscal Year 1997, Report and Order, 12 FCC Rcd. 17859, 17862 ¶ 9 (1997).

<sup>2</sup> See 5 U.S.C. § 552(b)(4); Critical Mass Energy Project v. NRC, 975 F.2d 871 (D.C. Cir. 1992), cert. denied, 507 U.S. 984 (1993).